

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re AMERICAN REALTY CAPITAL PROPERTIES, INC. LITIGATION	:	Civil Action No. 1:15-mc-00040-AKH
	:	<u>CLASS ACTION</u>
This Document Relates To:	:	LEAD PLAINTIFF'S NOTICE OF MOTION
ALL ACTIONS.	:	AND MOTION FOR FINAL APPROVAL OF
	:	SETTLEMENT AND PLAN OF
	x	ALLOCATION

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that Lead Plaintiff TIAA, on behalf of the Class, through counsel, will move this Court on January 21, 2020, at 11:00 a.m., before the Honorable Alvin K. Hellerstein, for entry of orders and judgments, pursuant to Rule 23 of the Federal Rules of Civil Procedure: (1) granting final approval of the proposed Settlement; and (2) approving the proposed Plan of Allocation. This motion is based on: (i) the Memorandum of Law in Support of Lead Plaintiff's Motion for Final Approval of Settlement and Plan of Allocation; (ii) the Declaration of Debra J. Wyman in Support of: (1) Lead Plaintiff's Motion for Final Approval of Settlement and Plan of Allocation, and (2) Lead Counsel's Motion for an Award of Attorneys' Fees and Expenses; (iii) the Declaration of Laurie A. Gomez; (iv) the Declaration of Layn R. Phillips; (v) the Declaration of Carole K. Sylvester; (vi) the Stipulation of Settlement; and (vii) all other proceedings herein.

Proposed orders will be submitted with Lead Plaintiff's reply submission on or before January 14, 2020.

DATED: December 17, 2019

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on December 17, 2019, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

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